

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Western

District of

Texas

Gary Kirby, Ralph Merriweather and
Rosie Hopkins

V.

CPS Energy and Ken Lamour

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

S A08CA0621 XR

TO: (Name and address of Defendant)

CPS Energy, through its Executive Director, Milton Lee
145 Navarro
San Antonio, Texas 78205

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Ricardo Alberto Garcia
David Van Os
David Van Os & Associates, P.C.
115 E. Travis Street, Suite 618
San Antonio, Texas 78205

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

JUL 30 2008

William G. Putnicki

CLERK

DATE

(By) DEPUTY CLERK

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RETURN OF SERVICE

Service of the Summons and complaint was made by me ⁽¹⁾	DATE <u>7.30.08</u>
NAME OF SERVER (PRINT) <u>CHRISTOPHER BROGLEY</u>	TITLE

Check one box below to indicate appropriate method of service

☒ Served personally upon the defendant. Place where served: CPS Headquarters, 145 Navarro St
Francis Talamantez SA, TX

☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left:

☐ Returned unexecuted:

☐ Other (specify):

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

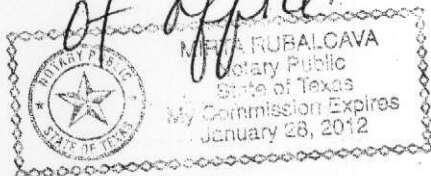
Executed on

7.30.08
Date

Signature of Server

Address of Server

sworn and subscribed to before me by Christopher Brogley on this 30th day of July, 2008, to certify which witness my hand and seal of office.



Mirta Rubalcava
Mirta Rubalcava
Notary and for the State
of Texas

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.